

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

**F026021      Sickles v. Memorial Hospitals Association, et al.**

Cause called and argued by Randall E. Strauss, Esq., counsel for appellant; by Clarence Chan, Esq., counsel for respondent Memorial Hospitals Association, et al and by Peter E. Theophilos, Esq., counsel for respondent Loren K. Rood, M.D.

Submission deferred for parties to file letter briefs by March 2, 1998. Court will determine at that time if further argument will be needed or cause to be submitted.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F027958      In re Stella M., et al., Minors**

**F027995      Lashawn C. v. Superior Court, Kern County; Kern County Department of Human Services, et al.**

Cause called and argued by Mary Willans-Izett, Esq., counsel for appellant Lashawn C.; by Minouche Kandel, Esq., counsel for amicus C.A.A.D.V. and by Paul E. Blackhurst, Esq., Deputy County Counsel, counsel for respondent and real party in interest Kern County Department of Human Services, et al.

Cause ordered submitted.

**F026720      People v. Alvarez**

Cause called. Hilda Scheib, Esq., counsel for appellant waived oral argument. Thomas Y. Shigemoto, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

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The court adjourns.

**F030063      People v. Anderson**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F027954      In re Samantha C., a Minor**

The order denying preferential placement of Samantha with Frankie is reversed. The matter is remanded to the juvenile court for further proceedings consistent with this opinion. In all other respects, the judgment is affirmed. Vartabedian, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F027247      People v. Mays**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F026826      Loy v. Tulare County Board of Retirement**

The judgment is affirmed. Vartabedian, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F025400      People v. Henderson**

The judgment of conviction is affirmed. The judgment as to sentence is vacated and the matter is remanded to the trial court for resentencing. Harris, J.

We concur: Dibiaso, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028027      People v. Rangel**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F028061      People v. Hernandez**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F027137      People v. Cadenas**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F027309      People v. Davis**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F024812      People v. Whitmore**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F029497      In re Virginia S., a Minor**

No brief or request for extension of time having been filed within the time provided, the appeal is dismissed.